

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GRISSEL NUNEZ, as Parent and Natural Guardian of
I.N.P., an Infant,

23 Civ. 7569 (PAE)

Plaintiff,

-against-

AMENDED COMPLAINT

JP Morgan Chase Bank, N.A.,

Jury Requested

Defendant.
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Plaintiff alleges for her Amended Complaint as follows:

1. Plaintiff resides in Bronx County.
2. Defendant is a foreign corporation.
3. Defendant transacts business within New York State.
4. Defendant committed a tortious act within New York State in that it failed to comply with an Order of the Hon. Michael A. Frishman dated May 24, 2023, which Order mandated that it open “the highest interest bearing account possible” for the \$200,000.00 settlement check which was payable to “Grissell Nunez as p/n/g of I.P. and an Officer of Chase Bank.”
5. This Court Order created a special fiduciary relationship between defendant and the infant as stated on page 8 of the Infant’s Compromise Order, which defendant breached when it failed to comply with the terms of the Court’s Order.
6. On July 7, 2023 Raul Grullon was an employee of the defendant.

7. On July 7, 2023, Raul Grullon, after consulting the Chase Legal Department, refused to open a CD account paying the highest interest available, but only opened a CD paying 0.01% renewable in six months.

8. After six months, defendant renewed the CD account @4.5%.

9. 4.5% was still not the highest interest available on the renewal date.

10. As a result of this failure to comply with the Court Order, the infant plaintiff, and the entire class represented, have been damaged in a sum of money which exceeds the jurisdiction of all lower courts.

11. The class is so numerous that joinder of all members, whether otherwise required or permitted, is impracticable.

12. There are questions of law or fact common to the class which predominate over any questions affecting only individual members.

13. The claims or defenses of the representative parties are typical fo the claims or defenses of the class.

14. The representative party will fairly and adequately protect the interests of the class.

15. A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

WHEREFORE, plaintiff demands judgment against defendant, to include the following:

1. Certifying the class;
2. Ordering defendant to immediately convert the account opened for the infant plaintiff to a CD account paying the infant the highest current interest rate, including the “relationship rate” as she currently has another account with Chase, number 000003022361240;

3 Actual damages lost by class because of the lower interest rate given to “court ordered” accounts;

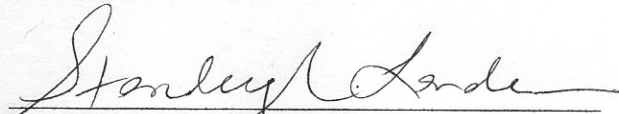
4. Punitive damages; and

5. Attorney’s fees, plus costs and disbursements.

Dated: Carle Place, New York
February 9, 2024

Yours, etc.,

LANDERS & CERNIGLIARO, P.C.
Attorneys for Plaintiff

A handwritten signature in cursive script, reading "Stanley A. Landers", written over a horizontal line.

STANLEY A. LANDERS, ESQ. (3831)

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AMENDED SUMMONS & COMPLAINT

LANDERS & CERNIGLIARO, P.C.

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